

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUBEN QUIROZ -TREJO,)	
)	
<i>Petitioner,</i>)	
)	
v.)	CASE No.: 3:15-cv-1020
)	
DAVID RIVERA ,)	SENIOR JUDGE WILLIAM J. HAYNES, JR.
)	
<i>Respondent.</i>)	

PETITIONER’S SECOND MOTION FOR EXTENSION OF TIME TO FILE REPLY/TRVERSE

Pursuant to M.D. TENN. L.R. 7.01(b) and 28 U.S.C. §§ 2243 and 2248, Petitioner respectfully requests a second ten extension of time to file the Reply/Traverse to the Return filed by Respondent. (ECF No. 9). This Court previously permitted leave to submit a Reply/Traverse on or before December 18, 2015. (ECF No. 11) On December 18, 2015, Petitioner, through counsel, submitted a request for ten additional days to submit the Reply/Traverse, which was necessitated by counsel’s unexpected absence due to illness. (ECF No. 12) This Court granted Petitioner’s Motion on December 21, 2015. (ECF No. 13) Petitioner now requests a second extension of seven (7) days to file his Reply/Traverse, until and including **January 4, 2015**.

As good cause for this Motion, Petitioner, through counsel, states that additional time is needed to analyze the recent 107-page *en banc* decision of the First Circuit in *Castañeda v. Souza*, Nos. 13-1994, 13-2509, U.S. App. Lexis 22565, which that court issued on December 23, 2015. Because *Castañeda* adds extensive analysis that departs significantly from the prior Circuit precedents offered by the government, Petitioner’s counsel seeks a brief extension of time to fully digest the opinion.

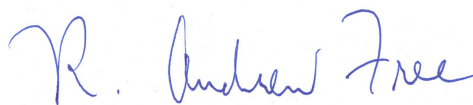
In addition, due to slower mail delivery and federally observed holidays, Petitioner's counsel requires additional time to obtain Petitioner's approval signature on the Declaration he intends to submit in support of his Reply/Traverse.

This request is not made for the purpose of undue delay, but rather, to afford Petitioner's counsel a meaningful opportunity to respond to the Government's position. Given the short duration of the requested extension and the fact that Petitioner will remain in no-bond detention during this period, no Government interest will be prejudiced by allowing him the requested extension.

Accordingly, Petitioner respectfully requests that the previously extended deadline for submitting his Reply/Traverse be extended by seven (7) days to **January 4, 2015**.

Date: December 28, 2015

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on today's date, I served a true and correct copy of the foregoing *Petitioner's Motion for Extension of Time to File Reply/Traverse* on the following individuals via this Court's CM/ECF system:

Joseph D. Hardy, Jr.

Department of Justice-Office of Immigration Litigation

PO Box 868
Ben Franklin Station
Washington, DC 20008

Dated: December 28, 2015

By: /s R. Andrew Free, TNBPRN 30513
R. Andrew Free